

A RESOLUTION OF THE MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST ESTABLISHING A 90-DAY GRACE PERIOD FOR COUNTY EMPLOYEES TO FILE THE OUTSIDE EMPLOYMENT FINANCIAL DISCLOSURE, THE OUTSIDE EMPLOYMENT STATEMENT, FOR THE 2019 DISCLOSURE YEAR, PURSUANT TO MIAMI-DADE CODE SECTION 2-11.1(K)(2); SUSPENDING ENFORCEMENT PROCEEDINGS DURING THE GRACE PERIOD; PROVIDING FOR AN EXTENSION OF THE GRACE PERIOD UPON A MAJORITY VOTE OF THE COMMISSION OF ETHICS; AND REQUESTING THAT THE COUNTY ADOPT POLICIES CONSISTENT WITH THE GRACE PERIOD ESTABLISHED BY THE COMMISSION ON ETHICS.

WHEREAS, County employees' principal duty is to serve the public in a manner that fosters public trust in the operation of County government; and

WHEREAS, the Mission of the Miami-Dade Commission on Ethics and Public Trust is to ensure the integrity of both the governmental decision-making process and the electoral process, to restore public confidence in government, and to serve as the guardian of the public trust; and

WHEREAS, Miami-Dade County has adopted the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance which *inter alia* governs the disclosure of money earned in outside employment by County employees and which is within the jurisdiction of the Commission on Ethics; and

WHEREAS, Sections 2-11.1(k)(2), of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance requires a financial disclosure of the money earned in outside employment satisfied by annually filing the Outside Employment Statement form for the prior year by noon on July 1st; and

WHEREAS, the Miami-Dade Commission on Ethics and Public Trust partnered with Miami-Dade County departments to improve compliance of the filing of the Outside Employment Statement through developing a process to file the disclosure online via Miami-Dade County's online outside employment online portal in order to file the 2019 form electronically; and

WHEREAS, the development of this online filing process could not be completed in time for this disclosure cycle because of delays caused by the County's efforts to move the majority of its processes online and due to additional delays caused by the COVID 19 pandemic; and

WHEREAS, pursuant to the forgoing and based on the experience of the Commission on Ethics including the preparation and issuance of numerous opinions and enforcement actions regarding outside employment since the inception of the Commission, the Commission finds that it would facilitate compliance with the Code of Ethics to establish a 90-day grace period, subject to extension, for County employees to file the outside employment financial disclosure, the Outside Employment Statement form for the 2019 disclosure year, pursuant to Miami-Dade Code Section 2-11.1(k)(2), during which time the Commission will suspend enforcement proceedings for violations of the above provisions; and

WHEREAS, the Commission on Ethics believes it is in the best interests of Miami-Dade County to have consistent policies on this issue, and that such consistency may be achieved by the adoption by the County of administrative policies consistent with the grace period for enforcement of Miami-Dade Code Sections 2-11.1(k);

NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST:

1. The recitals and findings contained in the preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this section.
2. The Commission on Ethics hereby adopts a 90-day grace period for County employees to file the outside employment financial disclosure, the Outside Employment Statement form for the 2019 disclosure year, pursuant to Miami-Dade code section 2-11.1 (k)(2), during which the Commission will suspend enforcement proceedings for violations of this provision.
3. The grace period and suspension of enforcement proceedings is limited to the 2019 disclosure year. County employees are expected to comply with the Code of Ethics on an annual basis prospectively beginning with the 2020 disclosure cycle.
4. The 90-day grace period is subject to extension(s) based upon a majority vote of the Commission on Ethics.
5. The Commission on Ethics requests that the County adopt policies consistent with the grace period for enforcement of Miami-Dade Code Sections 2-11.1 (k)(2).

6. This Resolution shall become effective on July 8, 2020.

7. A copy of this Resolution shall be forwarded forthwith to the County Attorney, County Clerk, Human Resources Department, and Elections Department of Miami-Dade County.

Adopted this 8 day of July, 2020

THE MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

DocuSigned by:

*Dr. Judith Bernier*

7/14/2020

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Judith D. Bernier, Vice Chair

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